

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:)	
)	
Keiichi ABE et al.)	Confirmation No.: 8837
)	
Application No.: 10/507,127)	Group Art Unit: 1794
)	
Filed: September 10, 2004)	Examiner: Lien Thuy Tran
)	
FOR: PROCESS FOR PRODUCING SDG AND)	
FOODS AND DRINKS CONTAINING)	
THE SAME)	

AMENDMENT TRANSMITTAL FORM
AND PETITION FOR 1-MONTH EXTENSION OF TIME

Mail Stop: AMENDMENT
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

1. Transmitted herewith is an Amendment responding to the Office Action dated April 17, 2008.
2. Additional papers enclosed:
 - ☐ Information Disclosure Statement
 - ☐ Form PTO-1449, copies of ___ references
 - ☐ Citations
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
 - ☐ Drawings: ☐ Formal ☐ Informal (Correction)

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ **Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ **Applicant petitions for an extension of time of 3 month(s). The fee for the extension is \$120.00, as set out in 37 C.F.R. § 1.17(a).

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>Fee for Small Entity</u>
<input checked="" type="checkbox"/> one month	\$120.00	\$ 60.00
<input type="checkbox"/> two months	\$460.00	\$230.00
<input type="checkbox"/> three months	\$1,050.00	\$525.00
<input type="checkbox"/> four months	\$1,640.00	\$820.00
<input type="checkbox"/> five months	\$2,230.00	\$1,115.00

- ☒ If an additional extension of time is required, please consider this a Petition therefor.
- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension of time fee due with this request: \$120.00

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16) (**Large**Small Entity)

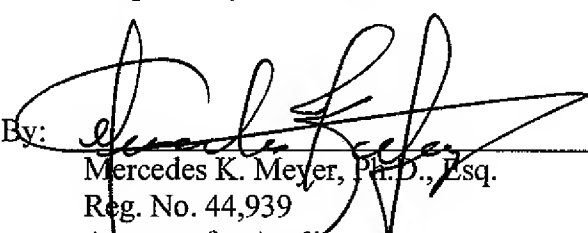
CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	12	minus	26	2	x \$50/\$25 each=	\$.00
Independent Claims (37 C.F.R. §1.16(b))	4	minus	3	1	x \$210/\$105 each=	\$ 210.00
First presentation of Multiple dependent claim(s):					\$370/\$185	\$ **.00
Fee for <u>1</u> Month Extension of Time						\$ 120.00
Fee for Information Disclosure Statement (\$180.00)						\$ **.00
Fee for Terminal Disclaimer (\$130.00)						\$ **.00
Reduction by ½ for filing by a small entity						\$ **.00
TOTAL FEE =						\$ 330.00

6. Fee Payment

- ☒ \$330.00 by credit card via electronic filing.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0573.

Respectfully Submitted,

Date: August 15, 2008
 DRINKER BIDDLE & REATH LLP
 Customer No. 55694
 1500 K Street, N.W., Suite 1100
 Washington, D.C. 20005-1209
 Tel. No.: 202-842-8800

By: 
 Mercedes K. Meyer, Ph.D., Esq.
 Reg. No. 44,939
 Attorney for Applicants
 Tel. No.: (202) 842-8862
 Fax No.: (202) 842-8465